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**From:** Hafner, Janell M (LAW)  
**To:** Lindemuth, Jahna M (LAW)  
**CC:** Grace, Joanne M (LAW); Sniffen, Clyde E (LAW)  
**Sent:** 10/8/2018 9:56:21 AM  
**Subject:** RE: More Bakalar Issues - For AG

Jahna, I agree we want to know the parameters surrounding this issue, though I think the concerns you flag will likely require more (legal analysis) from us at Law re what can theoretically happen & what the recourse might be, rather than anything from DOP (which would probably kick this type of inquiry back to us anyhow). If that's ok I'll reach out to Ed & Joanne and share my thoughts on this in person, and then figure out the best way to get you what you're looking for.

**From:** Lindemuth, Jahna M (LAW)  
**Sent:** Monday, October 08, 2018 9:39 AM  
**To:** Mills, Cori M (LAW) <cori.mills@alaska.gov>  
**Cc:** Grace, Joanne M (LAW) <joanne.grace@alaska.gov>; Sniffen, Clyde E (LAW) <ed.sniffen@alaska.gov>; Hafner, Janell M (LAW) <janell.hafner@alaska.gov>  
**Subject:** Re: More Bakalar Issues - For AG

Thanks. Let's ask DOP whether an employee can be fired for political speech outside work that is contrary to politics of administration. Libby may become the example so good to know answer sooner than later. If so, this info should go to employees so they make informed decisions. Or if they CANT, it might be good to get policy or FAQs out before election.

Sent from my iPhone

On Oct 8, 2018, at 10:34 AM, Mills, Cori M (LAW) <[cori.mills@alaska.gov](mailto:cori.mills@alaska.gov)> wrote:

Just so you all have it, here is the revised draft of the Social Media Policy. This policy is focused more on state use of social media, not personal use. When it comes to personal use of social media, it is fraught with pitfalls, and putting a firm policy in writing telling employees what they can do on their personal time has a tendency to be viewed by the courts as overbroad and an infringement on first amendment rights. That doesn't mean you can't discipline attorneys, but you have to show a strong nexus to their work.

These issues seem to be coming up in a number of departments. DPS is also working on a policy for personal use of social media. The Social Media Working Group is getting together this Wednesday and our next phase is to work on a "Best Practices for Personal Use of Social Media." This would not be a policy but rather guidance for employees and managers to have.

In the end this is really a question of off-duty conduct and how and when it can be related to your employment. This is really a Division of Personnel question and I'm wondering if there should be guidance from Division of Personnel and LAW to all departments on this?

Cori Mills

**From:** Lindemuth, Jahna M (LAW)  
**Sent:** Monday, October 08, 2018 9:26 AM  
**To:** Grace, Joanne M (LAW) <[joanne.grace@alaska.gov](mailto:joanne.grace@alaska.gov)>  
**Cc:** Mills, Cori M (LAW) <[cori.mills@alaska.gov](mailto:cori.mills@alaska.gov)>; Sniffen, Clyde E (LAW) <[ed.sniffen@alaska.gov](mailto:ed.sniffen@alaska.gov)>; Hafner, Janell M (LAW) <[janell.hafner@alaska.gov](mailto:janell.hafner@alaska.gov)>  
**Subject:** Re: More Bakalar Issues - For AG

We need to finalize the social media policy, even if only for law. Rob said criminal DIV also working on department wide policy. Let's put this on to do list.

Libby will likely be fired if Dunleavy wins. Hopefully this doesn't come as surprise.

CONFIDENTIAL

Confidential Bakalar DEF 000857



**Exhibit AR**  
**Page 1 of 2**

Sent from my iPhone

On Oct 5, 2018, at 4:02 PM, Grace, Joanne M (LAW) <[joanne.grace@alaska.gov](mailto:joanne.grace@alaska.gov)> wrote:

Karen White also forwarded me an email today from a citizen who complained about Libby's postings.

**From:** Mills, Cori M (LAW)

**Sent:** Friday, October 05, 2018 2:37 PM

**To:** Grace, Joanne M (LAW) <[joanne.grace@alaska.gov](mailto:joanne.grace@alaska.gov)>; Lindemuth, Jahna M (LAW) <[jahna.lindemuth@alaska.gov](mailto:jahna.lindemuth@alaska.gov)>; Sniffen, Clyde E (LAW) <[ed.sniffen@alaska.gov](mailto:ed.sniffen@alaska.gov)>

**Cc:** Hafner, Janell M (LAW) <[janell.hafner@alaska.gov](mailto:janell.hafner@alaska.gov)>

**Subject:** Fwd: More Bakalar Issues - For AG

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Chad Hutchison <[Chad.Hutchison@akleg.gov](mailto:Chad.Hutchison@akleg.gov)>

**Date:** October 5, 2018 at 2:31:29 PM AKDT

**To:** "Cori Mills" <[cori.mills@alaska.gov](mailto:cori.mills@alaska.gov)>

**Cc:** "Sen. John Coghill" <[Sen.John.Coghill@akleg.gov](mailto:Sen.John.Coghill@akleg.gov)>, Rynnieva Moss <[Rynnieva.Moss@akleg.gov](mailto:Rynnieva.Moss@akleg.gov)>, Randy Ruaro <[Randy.Ruaro@akleg.gov](mailto:Randy.Ruaro@akleg.gov)>, "Sen. Bert Stedman" <[Sen.Bert.Stedman@akleg.gov](mailto:Sen.Bert.Stedman@akleg.gov)>

**Subject:** More Bakalar Issues - For AG

Cori:

See below screenshot:

<image001.png>

It's absolutely unacceptable for a professional state government attorney to be posting this. This just hurts Alaska. High likelihood that the State of Alaska will be in front of the US Supreme Court again...perhaps in the near future.

Ms. Bakalar's vitriol is stark. If she was assigned to advise on any legislative issues, I think she'd struggle with general credibility.

More details here:

<https://ethicsandonehotmessalaska.blogspot.com/>

Thanks

Chad

<Social Media Policy -- 9-26-18 EDITS FROM GROUP.doc>

CONFIDENTIAL

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**Exhibit AR**  
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